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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
SPENCER MANNING,  
  
Defendant.

CASE NO. 1:21-CR-00297-JLT-SKO

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER

DATE: March 30, 2022

TIME: 1:00 p.m.

COURT: Hon. Magistrate Judge Sheila K. Oberto

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was scheduled for a status conference on March 30, 2022.
2. By this stipulation, the parties move to continue the status conference until June 1, 2022, or the Court's earliest convenience, and to exclude time from calculation under the Speedy Trial Act between March 30, 2022, and June 1, 2022.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) Initial discovery was provided to defendant on or about December 22, 2021, consisting of 144 Bates-stamped items consisting of reports of investigation, body worn camera recordings, photographs, certified conviction records and a summary of defendant's criminal history.

1           b)     Counsel for defendant desires additional time to review discovery, consult with  
2 her client, conduct investigation and research related to the charges, and to otherwise prepare for  
3 trial.

4           c)     Counsel for defendant believes that failure to grant the above-requested  
5 continuance would deny her the reasonable time necessary for effective preparation, taking into  
6 account the exercise of due diligence.

7           d)     Based on the above-stated findings, the ends of justice served by continuing the  
8 case as requested outweigh the interest of the public and the defendant in a trial within the  
9 original date prescribed by the Speedy Trial Act.

10          e)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
11 et seq., within which trial must commence, the time period of March 30, 2022 to June 1, 2022,  
12 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results  
13 from a continuance granted by the Court request on the basis of the Court's finding that the ends  
14 of justice served by taking such action outweigh the best interest of the public and the defendant  
15 in a speedy trial.

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1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
2 Speedy Trial Act provide that additional time periods are excludable from the period within which a trial  
3 must commence.

4 IT IS SO STIPULATED.

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7 Dated: March 21, 2022

PHILLIP A. TALBERT  
United States Attorney

8  
9 /s/ CHRISTOPHER D. BAKER  
CHRISTOPHER D. BAKER  
Assistant United States Attorney

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11  
12 Dated: March 21, 2022

/s/ MAI S. SHAWWA  
MAI S. SHAWWA  
Counsel for Defendant  
SPENCER MANNING

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15  
16 **ORDER**

17 IT IS SO ORDERED.

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21 DATED: 3/22/2022

Sheila K. Oberto  
THE HONORABLE SHEILA K. OBERTO  
UNITED STATES MAGISTRATE JUDGE